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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/632,793 08/04/00 IWASAKI

H 106766

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PM92/0815

EXAMINER
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BROADHEAD, B

ART UNIT	PAPER NUMBER
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3661

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DATE MAILED: 08/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

# Office Action Summary

Application No.

09/632,793

Applicant(s)

IWASAKI ET AL.

Examiner

Brian J. Broadhead

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1, 3, 7-10, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites the limitation "the vicinity search" in line 6. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 1 recites the limitation "the register points" in lines 11-12. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 1 recites the limitation "the search result" in line 12. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 3 recites the limitation "the register point search data" in line 23. There is insufficient antecedent basis for this limitation in the claim.
7. Claims 7-10 recites the limitation "the lower hierarchy" and "the upper hierarchy". There is insufficient antecedent basis for this limitation in the claim.
8. Claim 13 recites the limitation "the input reference position" in line 29. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1, 3-11, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Mikame, 6144920.

3. As per claims 1,3, 4, 11, 13, 14, and 15, Mikame discloses an input means for inputting information necessary to conduct a vicinity search including at least information regarding a reference position on lines 53-60, on column 2; a display means for displaying a search result (14); an information storage means for storing at least the vicinity search data on lines 65, on column 2; a search means for making the vicinity search on the basis of data stored in said information storage means and information input by said input means, wherein said vicinity search data include at least area information, an said search means conduct the vicinity search on the basis of area information to which the register points belong and flags for the category information, and inputs the search result to said display means in figure 8; the search area is around a reference position input by said input means on lines 23-27, on column 8.

4. As per claims 5 and 6, Mikame discloses the register point data are divided into an area or block and controlled such that category information is stored on the basis of each area or block and flags representing the presence or absence of register point

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data are given as category information of each area or block on lines 50-60, on column 12; and register point are controlled by each category on lines 1-5, on column 13.

5. As per claims 7-10, Mikame discloses wherein s data structure of category information is hierarchical and flags representing the presence or absence of register point data in categories of the lower hierarchy are given to a category of the upper hierarchy on column 13.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikame, 6144920, in view of Maekawa et al., 6038508.

8. Mikame discloses all the limitations as set forth above. Mikame does not disclose that the area or area information is of a country; administrative unit; district, or municipality. Maekawa et al. teaches that the area or area information is of a country; administrative unit; district, or municipality on lines 50-66, on column 1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the area or area information of Maekawa et al. in the invention of Mikame because it would help to prevent too much information from being displayed at one as is stated as a goal on lines 28-34, on column 3, of Mikame.

### ***Conclusion***

9. The way the present invention is claimed it is broad enough to encompass a very large group of prior art. The claiming of a vicinity search based on a category of facility is broad enough to encompass a well known navigation device as simple as one that searches the local area to find different roads.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Brunts et al., 5964821, discloses a mapless GPS navigation system with sortable destination and zone preference.

12. Naughton, 6240425, discloses a geographic search engine having independent selections of direction and distance from a relocatable hub on.

13. Rosen et al., 6014090, discloses a method and apparatus for delivering local information to travelers.

14. Suzuki et al., 5983158, discloses a navigation system for vehicles.

15. Lampert et al., 5953722, discloses a method and system for forming and using geographic data.

16. Israni et al., 5968109, discloses a system and method for use and storage of geographical data on physical media.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

BJB  
August 11, 2001

*Jacques Louis*  
JACQUES H. LOUIS  
PRIMARY EXAMINER